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May 15, 2024

VIA ECF AND ELECTRONIC MAIL

MEMO ENDORSED

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

**Re: Trustees of the New York City District Council of Carpenters
Pension Fund, et al. v. Tri-State Concrete Polishing LLC, et al., 23
CV 10906 (KPF)**

Dear Judge Failla:

This firm represents the Plaintiffs in the above captioned matter. We write in accordance with Rule 2.C(i) of your Honor's Individual Rules of Practice in Civil Cases to respectfully request a brief extension of time to amend the pleadings or join additional parties. The current deadline for filing a motion to amend or join additional is May 15, 2024. *See* ECF Doc. No. 21.

Plaintiffs obtained information in another action suggesting that there may be another entity acting as an alter-ego, successor, and/or single employer with Defendant Tri-State Concrete Polishing LLC. This information was not obtained by way of discovery in this action. Indeed, Plaintiffs served their initial demands for the production of documents and first set of interrogatories on Defendants on May 3, 2024 ("Plaintiffs' Discovery Demands"). Plaintiffs' discovery demands did not include requests targeted to solicit additional information on this entity. Accordingly, Plaintiffs respectfully request a thirty (30) day extension of time to amend the pleadings or join additional parties. This extension will allow Plaintiffs to investigate this entity and the strength of their potential claims against it. Defendants consent to the request. No other deadlines would be affected if the request is granted. This is Plaintiffs' first request for an extension of time to amend the pleadings or join additional parties. Plaintiffs sincerely apologize to the Court for the late request.

We thank the Court for its time and attention to this matter.



VIRGINIA
& AMBINDER LLP
A t t o r n e y s a t L a w

Respectfully submitted,

/s/

Adrianna R. Grancio, Esq.
Attorneys for Plaintiffs

Cc: Richard B. Ziskin, Esq. (via ECF)

Application GRANTED. Plaintiffs' deadline to move to amend the pleadings or join additional parties is hereby ADJOURNED to **June 14, 2024**.

The Clerk of Court is directed to terminate the pending motion at docket entry 22.

Dated: May 15, 2024
New York, New York

SO ORDERED.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE